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IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.29 OF 2025

SARVESH AIKAR

... PETITIONER

Versus

VPK URBAN CO-OPERATIVE CREDIT SOC.
LTD. REP. BY PANDURANG KAVLEKAR

... RESPONDENT

Mr. Amay Phadte, Advocate for the Petitioner.

CORAM:- VALMIKI MENEZES, J.

DATED :- 7th July, 2025

P.C.:

1. Registry to waive objections and register the matter.
2. In the normal course, the order of issuance of process, which is dated 14.03.2022, ought to be challenged in terms of the Judgment of the Supreme Court in Adalat Prasad V/s Rooplal Jindal & ors, (2004) 7 SCC 338, before the Sessions Court. The Petitioner has chosen to come before this Court in a Criminal Writ Petition under Article 227 of the Constitution of India. Considering that there is an alternate remedy, which ought to be exhausted before coming to this Court, an appropriate course would have to be followed to file a Revision Application before the Sessions Court to challenge the impugned order.

3. After hearing the matter for some time, the Advocate for the Petitioner, on instructions, seeks leave to withdraw this present petition and file a Criminal Revision Application before the Sessions Court to challenge the order dated 14.03.2022 for issuance of process. Leave granted.

4. The Criminal Writ Petition stands dismissed as withdrawn.

5. The Sessions Court shall consider the time spent before this Court in writ jurisdiction, whilst considering any application for condonation of delay in the revision application that will be lodged before it.

VALMIKI MENEZES, J.